

111TH CONGRESS  
2D SESSION

# H. R. 5875

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## AN ACT

Making emergency supplemental appropriations for border security for the fiscal year ending September 30, 2010, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 That the following sums are appropriated, out of any  
2 money in the Treasury not otherwise appropriated, for the  
3 fiscal year ending September 30, 2010, and for other pur-  
4 poses, namely:

5 DEPARTMENT OF HOMELAND SECURITY

6 U.S. CUSTOMS AND BORDER PROTECTION

7 SALARIES AND EXPENSES

8 For an additional amount for “Salaries and Ex-  
9 penses”, \$356,900,000, to remain available until Sep-  
10 tember 30, 2012, of which \$78,000,000 shall be for costs  
11 to maintain U.S. Customs and Border Protection Officer  
12 staffing on the Southwest Border of the United States,  
13 \$58,000,000 shall be for hiring additional U.S. Customs  
14 and Border Protection Officers for deployment at ports  
15 of entry on the Southwest Border of the United States,  
16 \$208,400,000 shall be for hiring additional Border Patrol  
17 agents for deployment to the Southwest Border of the  
18 United States, \$2,500,000 shall be for forward operating  
19 bases on the Southwest Border of the United States, and  
20 \$10,000,000 shall be to support integrity and background  
21 investigation programs: *Provided*, That section 104 shall  
22 not apply to \$151,000,000 of the amount under this head-  
23 ing.

1     BORDER SECURITY FENCING, INFRASTRUCTURE, AND  
2                                   TECHNOLOGY

3         For an additional amount for “Border Security Fenc-  
4 ing, Infrastructure, and Technology,” \$14,000,000, to re-  
5 main available until September 30, 2012, for costs of de-  
6 signing, building, and deploying tactical communications  
7 for support of enforcement activities on the Southwest  
8 Border of the United States.

9             AIR AND MARINE INTERDICTION, OPERATIONS,  
10                               MAINTENANCE, AND PROCUREMENT

11         For an additional amount for “Air and Marine Inter-  
12 diction, Operations, Maintenance, and Procurement”,  
13 \$32,000,000, to remain available until September 30,  
14 2012, for costs of acquisition and deployment of un-  
15 manned aircraft systems.

16             CONSTRUCTION AND FACILITIES MANAGEMENT

17         For an additional amount for “Construction and Fa-  
18 cilities Management”, \$9,000,000, to remain available  
19 until September 30, 2012, for costs to construct up to  
20 three forward operating bases for use by the Border Patrol  
21 to carry out enforcement activities on the Southwest Bor-  
22 der of the United States.

## 1 U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT

## 2 SALARIES AND EXPENSES

3 For an additional amount for “Salaries and Ex-  
4 penses”, \$30,000,000 to remain available until September  
5 30, 2012, for law enforcement activities targeted at reduc-  
6 ing the threat of violence along the Southwest Border of  
7 the United States.

## 8 FEDERAL EMERGENCY MANAGEMENT AGENCY

## 9 STATE AND LOCAL PROGRAMS

10 For an additional amount for “State and Local Pro-  
11 grams”, \$50,000,000, to remain available until September  
12 30, 2011, for Operation Stonegarden.

## 13 FEDERAL LAW ENFORCEMENT TRAINING CENTER

## 14 SALARIES AND EXPENSES

15 For an additional amount for “Salaries and Ex-  
16 penses”, \$8,100,000, to remain available until September  
17 30, 2011, for costs to provide basic training for new U.S.  
18 Customs and Border Protection Officers and Border Pa-  
19 trol agents.

## 20 GENERAL PROVISIONS

## 21 (INCLUDING RESCISSIONS)

22 SEC. 101. For an additional amount for the Depart-  
23 ment of Justice for necessary expenses for increased law  
24 enforcement activities related to Southwest border en-  
25 forcement, \$201,000,000, to remain available until Sep-

1   tember 30, 2012: *Provided*, That funds shall be distrib-  
2   uted to the following accounts and in the following speci-  
3   fied amounts—

4           (1) “Administrative Review and Appeals”,  
5       \$2,118,000;

6           (2) “Detention Trustee”, \$7,000,000;

7           (3) “Legal Activities, Salaries and Expenses,  
8       General Legal Activities”, \$3,862,000;

9           (4) “Legal Activities, Salaries and Expenses,  
10      United States Attorneys”, \$9,198,000;

11          (5) “United States Marshals Service, Salaries  
12      and Expenses”, \$29,651,000;

13          (6) “United States Marshals Service, Construc-  
14      tion”, \$8,000,000;

15          (7) “Interagency Law Enforcement, Inter-  
16      agency Crime and Drug Enforcement”,  
17      \$21,000,000;

18          (8) “Federal Bureau of Investigation, Salaries  
19      and Expenses”, \$25,262,000;

20          (9) “Drug Enforcement Administration, Sala-  
21      ries and Expenses”, \$35,805,000;

22          (10) “Bureau of Alcohol, Tobacco, Firearms  
23      and Explosives, Salaries and Expenses”,  
24      \$39,104,000; and

1           (11) “Federal Prison System, Salaries and Ex-  
2           penses”, \$20,000,000.

3           SEC. 102. (a) From unobligated balances made avail-  
4           able to U.S. Customs and Border Protection “Border Se-  
5           curity Fencing, Infrastructure, and Technology”,  
6           \$100,000,000 are rescinded: *Provided*, That section 104  
7           shall not apply to this subsection.

8           (b) From unobligated balances of prior year appro-  
9           priations made available for “Transportation Security Ad-  
10          ministration—Aviation Security” in chapter 5 of title III  
11          of Public Law 110–28, \$15,500,000 are rescinded.

12          (c) From unobligated balances of prior year appro-  
13          priations made available for “Federal Emergency Manage-  
14          ment Agency—Administrative and Regional Operations”  
15          in chapter 4 of title II of Public Law 109–234,  
16          \$34,500,000 are rescinded.

17          (d) From unobligated balances of prior year appro-  
18          priations made available for “Department of Commerce—  
19          Bureau of the Census—Periodic Censuses and Programs”  
20          in title I of Public Law 111–117; 123 Stat. 3115,  
21          \$51,000,000 are rescinded: *Provided*, That section 104  
22          shall not apply to this subsection.

23          SEC. 103. Notwithstanding any other provision of  
24          law, from available funds, the Department of Defense  
25          shall pay in fiscal years 2010 and 2011 the full costs asso-

1 ciated with the deployment of the National Guard along  
2 the Southwest Border of the United States.

3 SEC. 104. Each amount made available herein is des-  
4 ignated as an emergency requirement and necessary to  
5 meet emergency needs pursuant to sections 403(a) and  
6 423(b) of S. Con. Res. 13 (111th Congress), the concur-  
7 rent resolution on the budget for fiscal year 2010.

8 This Act may be cited as the “Emergency Border Se-  
9 curity Supplemental Appropriations Act, 2010”.

Passed the House of Representatives July 28, 2010.

Attest:

*Clerk.*

111<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

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